

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAMIE HAWLEY,	:	Case No. 3:11-cv-360
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Michael R. Merz
vs.	:	
	:	
WARDEN, Southern Ohio Correctional	:	
Facility,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 7); (2) DISMISSING PETITIONER'S PETITION WITH PREJUDICE;
(3) DENYING ANY REQUESTED CERTIFICATE OF APPEALABILITY;
(4) CERTIFYING THAT ANY APPEAL WOULD NOT BE TAKEN IN GOOD
FAITH; AND (5) TERMINATING THIS CASE**

This case is before the Court on the Report and Recommendations of the United States Magistrate Judge Michael R. Merz. (Doc. 7). The Magistrate Judge recommends that Petitioner's Petition for Writ of Habeas Corpus be dismissed with prejudice, that Petitioner be denied a certificate of appealability and that the Court certify that any appeal would not be taken in objective good faith. (Doc. 7). Petitioner filed no objections to the Report and Recommendations and the time for doing so has expired.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* the substantive filings in this case. Based upon the reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendations (Doc. 7) and the Court's *de novo* review, the Court: (1) **ADOPTS** the Report and Recommendations of the United

States Magistrate Judge (Doc. 7) in its entirety; (2) **DENIES** and **DISMISSES** Petitioner's Petition for Writ of Habeas Corpus (Doc. 2) with prejudice; (3) **DENIES** any request for a certificate of appealability under 28 U.S.C. § 2253(c); (4) **CERTIFIES** that any appeal would be objectively frivolous and **DENIES** any request for leave to appeal *in forma pauperis*; and (5) **TERMINATES** this case on the Court's docket.

IT IS SO ORDERED.

Date: 3/29/12

Timothy S. Black
Timothy S. Black
United States District Judge